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10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-702

13 **LAURA LEANN SIMPSON**  
14 **a.k.a. LAURA L. SIMPSON**  
15 **500 B1 East Main Street**  
**Decatur, TX 76234**

**A C C U S A T I O N**

16 **Registered Nurse License No. 674555**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
23 Consumer Affairs.

24 2. On or about February 28, 2006, the Board of Registered Nursing issued Registered  
25 Nurse License Number 674555 to Laura Leann Simpson, a.k.a. Laura L. Simpson (Respondent).  
26 The Registered Nurse License expired on December 31, 2007, and has not been renewed.

27 **JURISDICTION**

28 3. This Accusation is brought before the Board under the authority of the following

1 laws. All section references are to the Business and Professions Code (Code) unless otherwise  
2 indicated.

3 4. Code section 2750 provides, in pertinent part, that the Board may discipline any  
4 licensee, including a licensee holding a temporary or an inactive license, for any reason provided  
5 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6 5. Code section 2764 provides that the expiration of a license shall not deprive the  
7 Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a  
8 decision imposing discipline on the license. Under Code section 2811(b), the Board may renew  
9 an expired license at any time within eight years after the expiration.

#### 10 STATUTORY PROVISIONS

11 6. Code section 2761 states: "the board may take disciplinary action against a certified  
12 or licensed nurse or deny an application for a certificate or license for any of the following:

13 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

14 ...

15 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
16 against a health care professional license or certificate by another state or territory of the United  
17 States, by any other government agency, or by another California health care professional  
18 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
19 action."

#### 20 REGULATORY PROVISIONS

21 7. California Code of Regulations, title 16, section 1419.3(b), states that "a licensee may  
22 renew a license that has been expired for more than eight years by paying the renewal and penalty  
23 fees specified in Section 1417 and providing evidence that he or she holds a current valid active  
24 and clear registered nurse license in another state, a United States territory, or Canada, or by  
25 passing the Board's current examination for licensure."

#### 26 CONTROLLED SUBSTANCES/DANGEROUS DRUGS

27 8. Code section 4021 states that a "'Controlled substance' means any substance listed in  
28 Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code."

9. Code section 4022 sets forth that a “‘Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for self-use in humans or animals, and includes the following:

“(a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing without prescription,’ ‘Rx only’ or words of similar import.

“(b) Any device that bears the statement: ‘Caution: federal law restricts this device to sale by or on the order of a \_\_\_\_\_,’ ‘Rx only,’ or words of similar import . . .

“(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.”

10. Alprazolam is a Schedule IV controlled substance as designated by Health and Safety Code section 11057(d)(1) and a dangerous drug as designated by Business and Professions Code section 4022.

11. Propoxyphene is a Schedule IV controlled substance as designated by Health and Safety Code section 11057(c)(2) and a dangerous drug as designated by Business and Professions Code section 4022.

## COST RECOVERY

12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

## CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Out of State Discipline)  
(Bus. & Prof. Section 2761, subd. (a)(4))

13. Respondent is subject to disciplinary action under Code section 2761, subdivision (a)(4), in that on or about June 12, 2007, the Texas Board of Nursing (Texas Board), *In the Matter of Vocational Nurse License Number 167068 and Registered Nurse Number 651814 Issued to Laura (Leann) Simpson*, made Findings of Fact and Conclusions of Law and thereon

1 issued a warning with stipulations on her licenses to practice professional and vocational nursing  
2 within the State of Texas. The underlying circumstances of the Texas Board's discipline follow:

3 14. On or about May 17, 2004, Respondent failed to repay her Texas Guaranteed Student  
4 Loan, thus depriving other applicants for nursing school loans.

5 15. On or about October 2, 2006, while employed with Wise Regional Health System, in  
6 Decatur, Texas, Respondent tested positive for the controlled substances Alprazolam and  
7 Propoxyphene.

8 16. On or about November 7, 2006, while employed with Wise Regional Health System,  
9 Respondent was observed sleeping and snoring while on duty.

10 17. On or about May 2007 and June 2007, while employed at Memorial Hermann  
11 Southeast Hospital, in Houston, Texas, Respondent admitted that she misappropriated Demerol  
12 and Hydrocodone from the facility and the patients for her personal use, resulting in conduct  
13 likely to defraud the facility and patients.

14 18. The Texas Board found that Respondent's conduct posed serious risks to public  
15 health and safety as a result of intemperate use of controlled substances or chemical dependency.

16 19. Respondent agreed to be bound by the Texas Board's Agreed Order, the Findings of  
17 Fact, Conclusions of Law, and any conditions contained therein, with the understanding that non-  
18 compliance would subject her to investigation and further disciplinary action.

19 20. On or about June 13, 2008, Respondent failed to comply with Stipulation No. Two of  
20 the June 12, 2007, Agreed Order in that she failed to successfully complete a course in Texas  
21 nursing jurisprudence within one year from entry of the previous order.

22 21. On or about June 13, 2008, Respondent failed to comply with Stipulation No. Three  
23 of the June 12, 2007, Agreed Order in that she failed to successfully complete a course in nursing  
24 ethics within one year of the previous order.


25 22. On or about December 8, 2009, the Texas Board of Nursing made Findings of Fact,  
26 Conclusions of Law and thereon issued an Agreed Order to suspend Respondent's licenses to  
27 practice professional and vocational nursing in the State of Texas. The suspensions were stayed,  
28 and Respondent was granted probation for a period of two (2) years subject to probationary terms.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 674555, issued to Laura Leann Simpson, a.k.a. Laura L. Simpson;
2. Ordering Laura Leann Simpson, a.k.a. Laura L. Simpson, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: MARCH 2, 2013

*for*   
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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